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PATENT

Attorney Docket No. 041514-5081.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshimi TOMITA

Application No.: 09/584,783

Filed: June 1, 2000

For: OPTICAL DISC RECORDING METHOD
AND APPARATUS, OPTICAL DISC,
AND OPTICAL DISC REPRODUCING
APPARATUS

Confirmation No.: 4863

Group Art Unit: 2653

Examiner: K. Le

Commissioner for Patents
U.S. Patent and Trademark Office
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Sir:

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RESPONSE TO AN ELECTION/RESTRICTION REQUIREMENT

In an Election/Restriction Requirement dated June 26, 2003, the Examiner required election under 35 U.S.C. § 121 between Group I (claims 1-6, 9 and 10) or Group II (claims 12-13). The Election/Restriction Requirement further states that claims 7, 8 and 11 will be examined with the elected invention. The Election/Restriction Requirement states that Group I includes claims 1-6, 9 and 10, drawn to an optical disc recording method. It is Applicant's understanding that the Requirement's indication that claims 4-6 and 10 are drawn to an optical disc recording method is a typographical error because the preamble of each of claims 4-6 and 10 recites an "optical disc recording apparatus." Since all claims 1-6, 9 and 10 are drawn to optical disc recording, Applicant assumes that claims 1-6, 9 and 10 belong to a same claim group as indicated by the Requirement despite of the typographical error. If Applicant's understanding

and assumption are inaccurate, Applicant respectfully requests clarification on this matter in the next communication.

Applicant hereby elects Group I (claims 1-6, 9 and 10) for examination along with claims 7, 8 and 11.

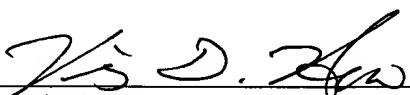
If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: July 22, 2003

By:


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